

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**VINCENT ELLIOT WILSON,**

Plaintiff,

v.

Civil Action No. **3:23CV572 (RCY)**

**U.S. DISTRICT COURT, et. al.,**

Defendants.

**MEMORANDUM OPINION**

Plaintiff, a Virginia inmate, submitted this action. Plaintiff has requested leave to proceed *in forma pauperis*.<sup>1</sup> The pertinent statute provides:

In no event shall a prisoner bring a civil action [*in forma pauperis*] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Plaintiff has at least three other actions or appeals that have been dismissed as frivolous or for failure to state a claim. *See Wilson v. Arthur*, No. 3:23cv82 (DJN), 2023 WL 2506420, at \*6 (E.D. Va. Mar. 14, 2023); *Wilson v. Burgess*, No. 3:22cv662 (DJN), 2023 WL 2505863, at \*5 (E.D. Va. Mar. 14, 2023); *Wilson v. Arthur*, No. 3:22cv602 (DJN), 2023 WL 2507554, at \*6 (E.D. Va. Mar. 14, 2023), *aff'd* 2023 WL 4839377 (4th Cir. July 28, 2023); *Wilson v. U.S.P.S.*, No. 3:22cv689 (DJN), 2023 WL 1997069, \*2 (E.D. Va. Feb. 14, 2023); *Wilson v. Lindsey*, No. 3:23cv83 (DJN), 2023 WL 1997070, at \*2 (E.D. Va. Feb. 14, 2023), *aff'd* 2023 WL

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<sup>1</sup> The Court employs the pagination assigned by the CM/ECF docketing system.

4839386 (4th Cir. July 28, 2023). Plaintiff's current complaint does not suggest that he is in imminent danger of serious physical harm.<sup>2</sup>

Accordingly, his request to proceed *in forma pauperis* will be DENIED. The action will be DISMISSED WITHOUT PREJUDICE. Plaintiff remains free to submit a new complaint with the full \$402 filing fee. The Court will process such a complaint as a new civil action.

An appropriate Final Order will accompany this Memorandum Opinion.

Date: September 13, 2023  
Richmond, Virginia

/s/   
Roderick C. Young  
United States District Judge

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<sup>2</sup> Plaintiff names the U.S. District Court "Courthouse," Judge David J. Novak, Judge Mark. R. Colombell, the United States of America, and perhaps the Commonwealth of Virginia (ECF No. 1, at 1, 3), and faults them for dismissing his many cases, charging excessive fees, and depriving him of free copies. (*Id.* at 6–7, 9.) The remainder of the action is a general airing of grievances about his conditions of confinement, including that he had cancer for two years and the detention center did not provide him treatment for cancer upon his arrival, and his contention that the Clerk's Office allegedly has hung up on him when he tries to "tell them that the Arlington County Jail is trying to kill him in his food and ask[s] to speak with police or Marshals." (*Id.* at 7–8.) Even if the named Defendants were somehow personally involved in these allegations, which they are not, Plaintiff fails to show that he is in *imminent* danger of serious harm.